



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

SCOTT P. COWAN,

Debtor.

Chapter 7

Case No.: 16-14758 (SLM)

Order Filed on October 23,
2019 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

ANDREW R. VARA,

Acting United States Trustee,

Plaintiff,

v.

SCOTT P. COWAN,

Defendant.

Adv. Pro. No.: 17-01247 (SLM)

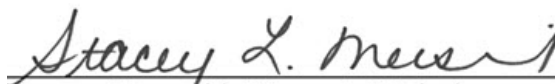
Hearing Date: March 8, 2019

Judge Stacey L. Meisel

**ORDER DENYING DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT AND GRANTING PLAINTIFF'S CROSS-MOTION FOR
SUMMARY JUDGMENT DENYING DEBTOR'S DISCHARGE**

The relief set forth on the following pages, numbered two (2) through three (3) is
ORDERED.

DATED: October 23, 2019


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Scott P. Cowan

Adv. Pro. No: 17-01247-SLM

Caption of Order: Order Denying Defendant's Motion for Summary Judgment and Granting Plaintiff's Cross-Motion for Summary Judgment Denying Debtor's Discharge

THIS MATTER having come before the Court on *Defendant's Motion for an Order Granting Summary Judgment* ("**Debtor's Motion**") (Adv. Pro. Docket No. 15) filed by debtor Scott P. Cowan, by and through his attorneys, Scura, Wigfield, Heyer, Stevens & Cammarota, LLP, to dismiss the adversary proceeding objecting to the Debtor's discharge pursuant to 11 U.S.C. § 727(a)(3) with prejudice; and the United States Trustee ("**UST**") having filed *Plaintiff's Opposition to Defendant's Motion for an Order Granting Summary Judgment and Plaintiff's Cross-Motion Requesting Summary Judgment on Complaint to Deny Discharge Pursuant to 11 U.S.C. § 727* ("**UST's Cross-Motion**") (Adv. Pro. Docket No. 18); and Debtor having filed *Brief in Opposition to Plaintiff's Cross-Motion for Summary Judgment and Response to Plaintiff's Opposition to Defendant's Motion for Summary Judgment* ("**Debtor's Response**") (Adv. Pro. Docket No. 20); and the UST having filed *Plaintiff's Reply to Defendant's Opposition to Plaintiff's Cross-Motion Requesting Summary Judgment on Complaint to Deny Discharge Pursuant to 11 U.S.C. § 727* ("**UST's Reply**") (Adv. Pro. Docket No. 26); and for the reasons set forth on the record on the March 8, 2019 hearing on the Motion and the Cross-Motion ("**Summary Judgment Hearing**"); and the Court having reviewed the pleadings; and having heard the parties' arguments at the Summary Judgment Hearing; and for the reasons set forth in the Opinion dated October 23, 2019 (Adv. Pro. Docket No. 27),

IT IS HEREBY ORDERED THAT:

1. Pursuant to FED. R. CIV. PRO. 56(a), as made applicable by FED. R. BANKR. P. 7056, the Debtor's Motion is DENIED.

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Debtor: Scott P. Cowan

Adv. Pro. No: 17-01247-SLM

Caption of Order: Order Denying Defendant's Motion for Summary Judgment and Granting Plaintiff's Cross-Motion for Summary Judgment Denying Debtor's Discharge

2. Pursuant to FED. R. CIV. PRO. 56(a), as made applicable by FED. R. BANKR. P. 7056, the UST's Cross-Motion is GRANTED.

3. Debtor is denied a discharge pursuant to 11 U.S.C. § 727(a)(3).

4. The filing of a new bankruptcy case by the Debtor, or conversion to another Chapter under the Bankruptcy Code, shall not alter or affect the relief provided by this Order.

5. The UST shall serve a copy of this Order on the Debtor, Debtor's counsel, the Chapter 7 Trustee, the Office of the United States Trustee, and any party that has entered an appearance on the Motion.

In re:
Scott P. Cowan
Debtor

Case No. 16-14758-SLM
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 2

Date Rcvd: Oct 23, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 25, 2019.

db +Scott P. Cowan, 35 Prescott St., Demarest, NJ 07627-1906
aty +Scura, Wigfield, Heyer & Stevens, LLP, 1599 Hamburg Turnpike, POB 2031,
Wayne, NJ 07474-2031

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 25, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 23, 2019 at the address(es) listed below:

Barry R. Sharer on behalf of Accountant Sharer Petree Brotz & Snyder CShapiro@SharerPBS.com,
BSharer@SharerPBS.com;nj83@ecfcbis.com
Benjamin A. Stanziale, Jr. on behalf of U.S. Trustee United States Trustee
trustee@stanzialelaw.com, nj45@ecfcbis.com
Benjamin A. Stanziale, Jr. on behalf of Trustee Benjamin A. Stanziale, Jr.
trustee@stanzialelaw.com, nj45@ecfcbis.com
Benjamin A. Stanziale, Jr. trustee@stanzialelaw.com, nj45@ecfcbis.com
Benjamin A. Stanziale, Jr. on behalf of Attorney Stanziale & Stanziale, P.C.
ben@stanzialelaw.com
Brian Gregory Hannon on behalf of Creditor Susan A. Cowan bhannon@norgaardfirm.com,
sferreira@norgaardfirm.com;l84grandno@gmail.com;kcimmino@norgaardfirm.com
Daniel E. Straffi on behalf of Creditor Joanne Gwin bktrustee@straffilaw.com,
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
Daniel E. Straffi on behalf of Creditor George Gwin bktrustee@straffilaw.com,
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
David Gerardi on behalf of Plaintiff Andrew R. Vara david.gerardi@usdoj.gov
David Gerardi on behalf of U.S. Trustee United States Trustee david.gerardi@usdoj.gov
David E. Sklar on behalf of Defendant Scott P. Cowan dsklar@scuramealey.com,
ecfbkfilings@scuramealey.com;mmack@scura.com;lrichard@scura.com;lleon@scura.com
David L. Stevens on behalf of Debtor Scott P. Cowan dstevens@scuramealey.com,
ecfbkfilings@scuramealey.com;dsklar@scuramealey.com;mmack@scura.com;lrichard@scura.com;lleon@scur
a.com
David L. Stevens on behalf of Defendant Scott P. Cowan dstevens@scuramealey.com,
ecfbkfilings@scuramealey.com;dsklar@scuramealey.com;mmack@scura.com;lrichard@scura.com;lleon@scur
a.com
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Cenlar FSB as servicing agent for Lakeview Loan
Servicing, LLC cmecf@sternlav.com
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Jerrold S. Kulback on behalf of Plaintiff Fulton Bank of New Jersey jkulback@archerlaw.com
John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company, LLC
ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Karl J. Norgaard on behalf of Creditor Susan A. Cowan knorgaard@norgaardfirm.com,
sferreira@norgaardfirm.com;l84grandno@gmail.com;kcimmino@norgaardfirm.com
Mark E. Hall on behalf of Mediator Mark Hall mhall@foxrothschild.com, cbrown@foxrothschild.com
Mark J. Molz on behalf of Creditor Mark J. Molz molzlaw@aol.com
Mark J. Molz on behalf of Plaintiff Patricia Bollman molzlaw@aol.com
Mark J. Molz on behalf of Plaintiff Maureen Molz molzlaw@aol.com
Mark J. Molz on behalf of Plaintiff Mark J Molz molzlaw@aol.com

District/off: 0312-2

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 2

Date Rcvd: Oct 23, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Patricia A. Staiano on behalf of Plaintiff Benjamin A. Stanziale, Jr. pstaiano@hlgsllaw.com,
pstaiano@hlgsllaw.com
Patricia A. Staiano on behalf of Trustee Benjamin A. Stanziale, Jr. pstaiano@hlgsllaw.com,
pstaiano@hlgsllaw.com
Travis L. Kreiser on behalf of Creditor Shore Fasteners & Supply Inc.
travis.kreiser@verizon.net
United States Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 28